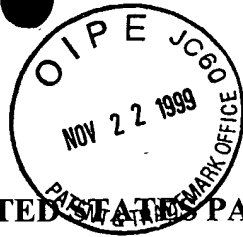


CITI0035 - CON



#9/Reconsideration
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the U.S. Application of

Michael GRANDCOLAS et al.

Group Art Unit: 2764

U.S. Serial No.: 09/240,588

Examiner: Nguyen, N.

Filed: February 01, 1999

For: METHOD AND SYSTEM FOR AUTOMATICALLY HARMONIZING ACCESS TO
A SOFTWARE APPLICATION PROGRAM VIA DIFFERENT ACCESS DEVICES

Assistant Commissioner For Patents
Washington, D.C. 20231

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RESPONSE

Sir:

This is in full and timely response to the non-final Office Action as mailed on October 21, 1999 (Paper No. 7). Claims 14-21 are currently pending in the present application. Reconsideration of this application is respectfully requested in view of the following remarks.

Applicants respectfully thank the Examiner for kindly granting a telephone interview on November 4, 1999, regarding the rejection of claims 14-18 under 35 U.S.C. 101 for non-statutory subject matter in the Office Action mailed October 21, 1999, and for her withdrawal of such rejection during the telephone interview.

In the above-mentioned Office Action, the Examiner rejected claims 14-18 under 35 U.S.C. 101 for non-statutory subject matter and under 35 U.S.C. 102(a) as being anticipated

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by Zeanah et al. (U.S. Pat. No. 5,933,816). Furthermore, the Examiner indicated that claims 19-21 are allowed as being patentable over the prior art of record.

With regard to the Examiner's rejection of claims 14-18 under 35 U.S.C. 101 for non-statutory subject matter, this rejection is now moot in view of the Examiner's decision to withdraw the rejection during the telephone interview, as indicated above. Applicants, therefore, respectfully request a formal withdrawal of this rejection.

With regard to the Examiner's rejection of claims 14-18 under 35 U.S.C. 102(a) as being anticipated by Zeanah et al., Applicants respectfully traverse the rejection for at least the following reasons.

Applicants respectfully submit that Zeahnah et al. is not a valid prior art under 35 U.S.C. 102(a) because its patented or publication date of August 3, 1999, was after October 30, 1996, which was the effective filing date of the present invention as derived from the filing date of its parent application serial no. 8/741,121 (now U.S. Pat. No. 5,867,153). Thus, there is no evidence that the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention in the present application by the Applicants, as required for a prior art rejection under 35 U.S.C. 102(a).

Furthermore, Applicants respectfully submit that Zeahnah et al. is not even a valid prior art under 35 U.S.C. 102(e) because its effective filing date of October 31, 1996, was also after the effective filing date of October 30, 1996 of the present invention as explained above. Thus, Applicants respectfully submit that claims 14-18 along with claims 19-21 are allowable over the prior art of record.

For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the prior art of record. Accordingly, reconsideration and withdrawal of the outstanding prior art rejections and an issuance of a Notice of Allowance are earnestly solicited.

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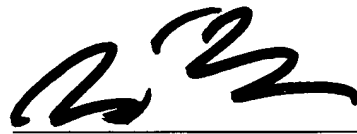
Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone applicant's undersigned representative at the number listed below.

Respectfully submitted,

Michael GRANDCOLAS et al.

Date: March 22, 1999

By:



George T. Marcou
Registration No. 33,014

KILPATRICK STOCKTON LLP
Suite 800
700 13th Street, N.W.
Washington, D.C. 20005
(202) 508-5800

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